

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

TOBY JOE BARLEY,)
Plaintiff,) Civil Action No. 7:16cv00280
)
v.)
)
NEW RIVER VALLEY REGIONAL) By: Elizabeth K. Dillon
JAIL MEDICAL DEPT., *et al.*,) United States District Judge
Defendants.)

ORDER

In accordance with the memorandum opinion entered this day, it is hereby ORDERED that Barley's motion to amend (Dkt. No. 30) is GRANTED, the motion to dismiss of defendants New River Valley Regional Jail Medical Department, McPeak, Akers (Dkt. No. 20) is GRANTED, and the motion to dismiss of defendants Lowe and Neel (Dkt. No. 34) is DENIED. The Clerk shall TERMINATE the New River Valley Regional Jail Medical Department, McPeak, and Akers as defendants to this action. Pursuant to Standing Order No. 2013-6, defendants Lowe and Neel are DIRECTED to FILE a motion for summary judgment, supported by affidavit(s), within 30 days from the entry of this order.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to counsel of record and Mr. Barley, plaintiff.

Entered: March 6, 2017.

/s/ Elizabeth K. Dillon
Elizabeth K. Dillon
United States District Judge